

Prepared from FORM PTO-1390		Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)		Page 1
Customer No.	026418			
Attorney's Docket No.:	GK-ZEI-3274/500343.20294			
U.S. Application No.:	10/535730			
International Application No.:	PCT/EP2003/012673			
International Filing Date:	NOVEMBER 13, 2003		13 NOVEMBER 2003	
Priority Date Claimed:	NOVEMBER 21, 2002		21 NOVEMBER 2002	
Title of Invention:	OPHTHALMOLOGICAL APPLIANCE COMPRISING AN EYE TRACKER			
Applicant(s) for (DO/EO/US):	Oliver BAUMANN, Michael CLAUS, Axel DOERING, Ingo KOSCHMIEDER, Thomas SCHULZE and Bernd SPRUCK			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)]. The submission must include items (5), (6), (9), and (21) indicated below.
- ☐ 4. The US has been elected (Article 31).
- ☒ 5. A copy of **Publication No. WO 2004/045401 03JUN04** the International Application as filed [35 U.S.C. 371(c)(2)]
- a) ☒ is attached hereto (required only if not communicated by the International Bureau).
- b) ☐ has been communicated by the international Bureau.
- c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
- ☒ 6. An English language translation of **Publication No. WO 2004/045401 03JUN04** the International Application as filed [35 U.S.C. 371(c)(2)]
- a) ☒ is attached hereto
- b) ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
- a) ☐ are attached hereto (required only if not communicated by the International Bureau).
- b) ☐ have been communicated by the international Bureau.
- c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
- d) ☐ have not been made and will not be made
- ☐ 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- ☒ 9. An UNSIGNED Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)] **EXECUTED Decl/POA TO FOLLOW LATER**
- ☐ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

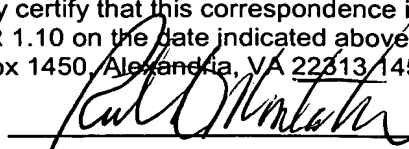
Items 11. to 20. Below concern other document(s) or information included:

- ☒ 11. **An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98**
- ☐ 12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ 13. **A preliminary amendment**
- ☐ 14. An Application Data Sheet under 37 CFR 1.76
- ☒ 15. **A substitute specification with abstract (attached to the preliminary amendment)**
- ☐ 16. A change of power of attorney and/or address letter
- ☐ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 V+CFR1.821-1.825.
- ☐ 18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).
- ☐ 19. A second copy of the English language translation of the International Application under 35 U.S.C. 154 (d)(4).
- ☒ 20. (other items or information) **FORMS: PCT/RO/105 (12JAN04) w/PCT/RO/101; Search Reports: PCT/ISA/220 and 210 27APR04 and German Examination Report 11SEP03, PTO-1449 with 10 cited references.**

EXPRESS MAIL No.: **EV 302 916 402 US**

Deposited: **May 20, 2005**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450



/Ruth Montalvo Date: **May 20, 2005**

U.S. Application No. (if known) see 37 CFR 1.50):
 International Application No.: **PCT/EP2003/012673**

Attorney's Docket No: GK-ZEI-3274/500343.20294

[X] 21. The following fees are submitted:					Applicant use	Office use only
[X] a) BASIC NATIONAL FEE					\$ 300.00	
[X] b) Examination fee					\$ 200.00	
[X] c) Search fee					\$ 500.00	
TOTAL OF ABOVE CALCULATIONS: \$ 1,000.00					\$1,000.00	
[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.						
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number).		Rate		
- 100 =	/50 =			X \$250.00	\$	
Surcharge of \$ 130.00 for furnishing the oath or declaration later than 30 month from the earliest claimed priority date (37 CFR 1.492(e))					\$	
Claims	Number Filed		Number Extra	Rate		
Total Claims:	16	- 20		X \$ 50.00	\$	
Independent Claims:	2	- 3		X \$ 200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)					+ \$ 360.00	\$
TOTAL OF ABOVE CALCULATIONS:					\$1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]					+	\$
TOTAL OF ABOVE CALCULATIONS:					\$1,000.00	
[] Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by ½ for filing by small entity -						
SUBTOTAL:					\$1,000.00	
Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]					+	
TOTAL NATIONAL FEE:					\$1,000.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property					+	\$
TOTAL FEE(S):					\$1,000.00	
AMOUNT TO BE REFUNDED						\$
AMOUNT TO BE CHARGED						\$

(Please note the filing fee is based on the claims in the Preliminary Amendment)

- a) **[X]** Check in the amount of **\$ 1,000.00** to cover the above fees is enclosed.
- b) **[]** Please charge my Deposit Account No 50-1529 in the amount of \$.00 to cover the fee..
- c) **[X]** The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)
- d) **[]** Fee are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status

SEND ALL CORRESPONDENCE TO:

Gerald H. Kiel Esq.
 Reed Smith LLP
 599 Lexington Avenue
 New York, NY 10022-7650

(Customer No. 026418)

Signature:

Attorney:

Reg. No.

Date:

Gerald H. Kiel

25,116

May 20, 2005